

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RALPH SMITH, et al.,)	
)	
Plaintiffs,)	
)	2:17-cv-00911
v.)	
)	
ALLEGHENY TECHNOLOGIES, INC., et)	
al.,)	
)	
Defendants.)	

ORDER

AND NOW, this 28th day of February, 2018, for the reasons stated in the Court's Memorandum Opinion of this date, it is hereby ORDERED that:

1. Defendant Allegheny Technologies, Inc.'s ("ATI's") Motion to Dismiss for Failure to State a Claim, ECF No. 13, is GRANTED. Counts I–IV of Plaintiffs' Complaint, ECF No. 1, are DISMISSED WITH PREJUDICE.
2. Because the grounds for dismissal raised by ATI are common to both Defendants and Plaintiffs had an opportunity to fully respond to ATI's arguments, Plaintiffs' Complaint is dismissed as against all Defendants.
3. Because the Motion to Dismiss was dispositive, the pending motions at ECF Nos. 11, 15, 25, and 50 are DENIED without prejudice as moot.
4. The Clerk shall CLOSE the case.



Mark R. Hornak
United States District Judge

cc: All counsel of record